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| LAW OFFICE OF BARRY R LIPSITZ<br>755 MAIN STREET<br>MONROE, CT 06468 |             |                      | STACOVICI, STEFAN   |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1732                |                  |

DATE MAILED: 10/07/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/782,612

Applicant(s)

HINZ, BERNHARD

Examiner

Stefan Staicovici

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 56-110 is/are pending in the application.
- 4a) Of the above claim(s) 99-110 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 56-60, 62-79 and 84-98 is/are rejected.
- 7) ☒ Claim(s) 61, 80-83 is/are objected to.
- 8) ☒ Claim(s) 56-110 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on February 13, 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 56-98, drawn to a molding method, classified in class 264, subclass 40.6.
  - II. Claims 99-110, drawn to a molding apparatus, classified in class 425, subclass 388.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions Group I and II are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process as claimed can be practiced by another materially different apparatus, such as system having two rigid molds rather than a vacuum foil.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Mr. Barry Lipsitz on September 8, 2003 a provisional election was made with traverse to prosecute the invention of Group I, claims 56-98. Affirmation of this election must be made by applicant in replying to this Office action. Claims 99-110 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

***Specification***

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested: "Process for the Production of a Composite Consisting of a Fiber reinforced Material."

***Drawings***

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because:

(a) reference character "20" has been used to designate both a "regulation device" (page 22, line 16) and a "signal line" (page 22, line 16);

(b) reference character "90" has been used to designate both a "seal" (page 24, line 4) and a "strip of film" (page 24, line 7).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "118" (page 27, line 4) and "18" (page 27, line 24) have both been used to designate a "semifinished fiber article". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 1732

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 79, 84-85, 89, 91-92 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 79 recites the limitation "the extraction chamber" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 84-85 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: in claim 84, the distribution fabric serving as a flow aid during the supply of resin is cut in relation to a workpiece edge "forming a gap" (emphasis added) in order to control an angular course of a flow front of the resin (see Figures 7-8 of the original disclosure). Claim 85 is rejected as a dependent claim.

In claim 89, it is unclear to which distribution fabric Applicants are referring. It should be noted that for the purpose of examination it has been assumed that Applicants are referring to a second distribution fabric positioned beneath the vacuum port (30) (see Figure 1 of the original disclosure). Further clarification is required.

### ***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 56-57, 62, 68, 86, 93 and 97 are rejected under 35 U.S.C. 102(b) as being anticipated by Livesay *et al.* (US Patent No. 5,837,185).

Livesay *et al.* (185) teach the claimed molding process of a fiber reinforced article including, positioning a fiber preform (semi-finished fiber article) in a mold, placing a vacuum sheet over said fiber preform and sealing said vacuum sheet to said mold to form a vacuum envelope, drawing a vacuum of 28 in. Hg onto said vacuum envelope, infusing resin into fiber preform and curing said resin to form said fiber reinforced article (see col. 6, lines 33-60 and col. 7, line 34 through col. 8, line 8). Further, Livesay *et al.* (185) teach reducing the vacuum to 15 in. Hg to prevent boiling of the resin as the temperature increases during the curing phase (boiling curve is not exceeded) (see col. 7, line 66 through col. 8, line 4). Furthermore, Livesay *et al.* (185) teach a molding temperature of 200-340 °F, hence it is submitted that the temperature is also controlled (see col. 4, line 50).

Regarding claim 57, although Livesay *et al.* (185) does not teach a vacuum pump, it is submitted that because a vacuum exists that a vacuum pump is being used to generate said vacuum.

In regard to claim 62, Livesay *et al.* (185) teach positioning a fiber preform (semi-finished fiber article) in a mold (see col. 7, lines 34-36).

Specifically regarding claim 68, Further, Livesay *et al.* (185) teach reducing the vacuum to 15 in. Hg to prevent boiling of the resin as the temperature increases during the curing phase (see col. 7, line 66 through col. 8, line 4).

Regarding claims 86 and 93, because Livesay *et al.* (185) teach a vacuum envelope formed by a vacuum bag and a mold (see col. 3, lines 40-45), it is submitted that a vacuum port and a vacuum are present in order to form a seal with a mold such that the invention of Livesay *et al.* (185) to function as described.

In regard to claim 97, Livesay *et al.* (185) teach an epoxy resin (polyaddition resin) (see col. 4, line 46).

### ***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 56-58, 62-63, 65-74, 77-78, 86-88, 90, 93-94, 97 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185).

Palmer *et al.* ('013) teach the basic claimed process of molding a fiber reinforced article including, positioning a fiber preform (semi-finished fiber article) in a mold, placing a vacuum sheet over said fiber preform and sealing said vacuum sheet to said mold to form a vacuum envelope, drawing a vacuum onto said vacuum envelope, infusing resin into fiber preform and curing said resin to form said fiber reinforced article (see Abstract). Further, Palmer *et al.* ('013) teach controlling the temperature of said mold (200-250 °F) in order to maintain the viscosity of said resin (see col. 13, lines 38-41). Furthermore, Palmer *et al.* ('013) specifically teach that the

Art Unit: 1732

temperature and time should be thus controlled such that bubbles are not formed during the curing cycle (see col. 8, lines 21-27).

Regarding claim 56, Palmer *et al.* ('013) does not teach controlling the vacuum pressure such that boiling does not occur (boiling curve is not exceeded). Livesay *et al.* (185) teach the a molding process of a fiber reinforced article including, positioning a fiber preform (semi-finished fiber article) in a mold, placing a vacuum sheet over said fiber preform and sealing said vacuum sheet to said mold to form a vacuum envelope, drawing a vacuum of 28 in. Hg onto said vacuum envelope, infusing resin into fiber preform and curing said resin to form said fiber reinforced article (see col. 6, lines 33-60 and col. 7, line 34 through col. 8, line 8). Further, Livesay *et al.* (185) teach reducing the vacuum to 15 in. Hg to prevent boiling of the resin as the temperature increases during the curing phase (boiling curve is not exceeded) (see col. 7, line 66 through col. 8, line 4). Furthermore, Livesay *et al.* (185) teach a molding temperature of 200-340 °F, hence it is submitted that the temperature is also controlled (see col. 4, line 50). Therefore, it would have been obvious for one of ordinary skill in the art to have controlled the vacuum pressure as taught by Livesay *et al.* (185) in the process of Palmer *et al.* ('013) because, Livesay *et al.* (185) specifically teach that boiling of the resin is thus prevented, hence providing for an improved molded article due to a reduction in porosity and also because Palmer *et al.* ('013) teach the desirability of avoiding bubbles (see col. 8, lines 21-27).

In regard to claims 57 and 86, although Palmer *et al.* ('013) does not teach a vacuum pump, it is submitted that because a vacuum outlet (28) exists then a vacuum pump is being used to generate said vacuum.

Art Unit: 1732

Specifically regarding claim 58, Palmer *et al.* ('013) a porous film (18) positioned over a dry fibrous preform (16), said porous film (18) allowing resin to pass therethrough and impregnate said dry fibrous preform (16) (see col. 7, lines 1-10).

Regarding claim 62, Palmer *et al.* ('013) teach positioning a fiber preform (semi-finished fiber article) in a mold (12) (see Figure 1).

In regard to claims 63 and 65, Palmer *et al.* ('013) teach controlling the temperature of said mold (200-250 °F) in order to maintain the viscosity of said resin (see col. 13, lines 38-41). Further, Palmer *et al.* ('013) specifically teach that the temperature and time should be thus controlled such that bubbles are not formed during the curing cycle (see col. 8, lines 21-27), hence suggesting controlling the temperature of said mold. Furthermore, Palmer *et al.* ('013) specifically teach a self-heated mold tool (see col. 16, lines 31-32).

Specifically regarding claim 66, Palmer *et al.* ('013) teach a desired temperature range to obtain a desired viscosity such that uniform resin impregnation of skins (168) and (170) (see col. 13, lines 35-41) occurs. It is submitted that a uniform resin front is obtainable in order to obtain uniform resin impregnation as described by Palmer *et al.* ('013).

Regarding claim 67, Palmer *et al.* ('013) a resin viscosity of less than 1000 cPs (see col. 15, line 44). Livesay *et al.* (185) teach a resin viscosity range from 100 cPs to 1000 cPs (100-1000 mPa-s). Therefore, it would have been obvious for one of ordinary skill to have used a resin having a viscosity ranging from 100 cPs to 1000 cPs (100-1000 mPa-s) as taught by Livesay *et al.* (185) in the process of Palmer *et al.* ('013) because Palmer *et al.* ('013) specifically teach an epoxy resin (see col. 8, line 4), whereas Livesay *et al.* (185) teach that the optimum resin

viscosity for an epoxy ranges from 100 cPs to 1000 cPs (100-1000 mPa-s) and also because, both references teach similar materials and processes.

In regard to claim 68, Livesay *et al.* (185) teach reducing the vacuum to 15 in. Hg to prevent boiling of the resin as the temperature increases during the curing phase (see col. 7, line 66 through col. 8, line 4) from a value of 28 in. Hg during the injection phase. Therefore, it would have been obvious for one of ordinary skill in the art to have reduced the vacuum pressure (increase the absolute pressure) as taught by Livesay *et al.* (185) in the process of Palmer *et al.* ('013) because, Livesay *et al.* (185) specifically teach that boiling of the resin is thus prevented, hence providing for an improved molded article due to a reduction in porosity and also because Palmer *et al.* ('013) teach the desirability of avoiding bubbles (see col. 8, lines 21-27).

Specifically regarding claims 69-72, Palmer *et al.* ('013) teach an impregnation (injection) temperature of 250 °F (see col. 14, line 49) and a curing temperature of 350 °F (see col. 15 lines 8-12).

Regarding claims 73-74, Palmer *et al.* ('013) teach controlling the resin system by controlling the catalyst and temperature in order to obtain a processing time (gelling time) range corresponding to the size of the part being molded (see col. 9, lines 7-12, 18-23 and 28-33).

In regard to claims 77-78, Palmer *et al.* ('013) teach the use of a micro-porous ceramic filter (134) that is positioned near or in the vacuum line (136) and that permits gas to pass, but not liquid resin, hence acting as a resin trap (see col. 11, lines 48-68).

Specifically regarding claim 87, Palmer *et al.* ('013) teach positioning a vacuum outlet (28) at a position farthest from an infusion inlet (26) such that said vacuum outlet (28) is in an area last reached by the resin flow front (see Figure 1).

Regarding claim 88, Palmer *et al.* ('013) teach the use of a micro-porous ceramic filter (134) that is positioned near or in the vacuum line (136) (vacuum port) and that permits gas to pass, but not liquid resin, hence acting as a resin trap (see col. 11, lines 48-68 and Figure 8).

In regard to claim 90, although Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not specifically teach that a connection between a vacuum port and a vacuum foil is sealed, it is submitted that said connection must be sealed in order for a vacuum to exist within a vacuum envelope formed by said vacuum foil. Specifically, in Palmer *et al.* ('013) the vacuum outlet (28) must be sealed to the vacuum bag (40) in order for a vacuum to exist within the vacuum bag and as such, allow the resin to flow as described by the process of Palmer *et al.* ('013).

Specifically regarding claim 93, Palmer *et al.* ('013) teach a distribution plate (240) that is sealed using seals (252) from a vacuum port (264) (see Figure 12 and col. 15, line 49 through col. 16, line 6).

Regarding claim 94, Palmer *et al.* ('013) teach resin brake extensions (22, 24) that absorb extra resin (see Figure 1 and col. 7, lines 23-32). Further, Palmer *et al.* ('013) teach the use of pads positioned at the edges (51, 52) of the fiber reinforcement (16) (see col. 9, lines 14-18).

In regard to claim 97, Palmer *et al.* ('013) teach an epoxy resin (polyaddition resin) (see col. 8, line 4).

14. Claims 59-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of King *et al.* (US Patent No. 5,528,155).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claims 59-60, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach a pressure sensor in operative contact with the distribution fabric. King *et al.* ('155) teach the use of sensors in operative contact with a fiber-reinforced composite that measure the pressure of the resin (see Abstract and, col. 4, lines 9-11 and col. 17, lines 28-36). It is submitted that because said sensors are in contact with said fabric that said sensors are also in contact with said distribution fabric. Therefore, it would have been obvious for one of ordinary skill in the art to have provided pressure sensor in operative contact with the distribution fabric as taught by King *et al.* ('155) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, King *et al.* ('155) specifically teach that such sensors improve process control of the curing process and as such, provide for an improved molded article.

15. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of FR 2 771 960.

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claim 64, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach a plurality of temperature sensors positioned at the vacuum foil. FR 2 771 960 teaches the use of a plurality of temperature sensors positioned onto a mold (vacuum foil) (see Abstract). Therefore, it would have been obvious for one of ordinary skill in the art to have provided a plurality of temperature sensors positioned onto a mold (vacuum foil) as taught by FR 2 771 960 in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, FR 2 771 960 specifically

teaches that such a system allows for improved process control, hence providing manufacturing information and improving the quality of the resulting molded product.

16. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of Walsh (US Patent No. 5,210,499).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claim 75, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach process monitoring including resin infiltration and resin curing. Walsh ('499) teaches a process for monitoring resin flow (infiltration) and curing including, placing a plurality of wires onto a fiber reinforced composite preform and monitoring resin flow and curing (see col. 4, lines 9-25). Therefore, it would have been obvious for one of ordinary skill in the art to have provided a system to monitor resin flow (infiltration) and curing as taught by Walsh ('499) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, Walsh ('499) specifically teaches that such a system allows for improved process control, hence providing manufacturing information and improving the quality of the resulting molded product (see col. 4, lines 52-55).

17. Claim 76 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of Holtzberg (US Patent No. 5,849,229).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Art Unit: 1732

Regarding claim 76, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach pre-aging the resin. Holtzberg ('229) teaches a molding process including, pre-aging the resin prior to molding in order to increase its viscosity and reduce processing time (see col. 5, lines 54-67). Therefore, it would have been obvious for one of ordinary skill in the art to have pre-aged the resin as taught by Holtzberg ('229) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, Holtzberg ('229) specifically teaches that pre-aging of the resin prior to molding allows for a reduction in processing time and also increases process efficiency by employing the exothermic heat of the resin reaction.

18. Claim 79 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of Russell (US Patent No. 4,201,823).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claim 79, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach an extraction chamber. Russell ('823) teaches a vacuum molding process including, providing an extraction chamber (29) connected to vacuum conduits (30, 31). It would have been obvious for one of ordinary skill in the art to have provided an extraction chamber as taught by Russell ('823) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, Russell ('823) specifically teaches that such an impregnation system allows for an uniform pressure to be applied which allows for an improved molded product to be obtained (see col. 9, lines 31-60).

19. Claim 95 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of Wejrock *et al.* (US Patent No. 5,256,366).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claim 95, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach a first and a second vacuum connection. Wejrock *et al.* ('366) teach a vacuum molding process including a resin brake (8, 26) located between a first vacuum connection (6) and a second vacuum connection (22). Further, it should be noted that Wejrock *et al.* ('366) teach a resin spillway (8) that also acts as a resin brake (see col. 2, lines 52-60 and, col. 3, lines 27-35 and 54-65). Therefore, it would have been obvious for one of ordinary skill in the art to have provided a resin brake located between a first vacuum connection and a second vacuum connection as taught by Wejrock *et al.* ('366) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, Wejrock *et al.* ('366) specifically teaches that such an arrangement allows for a separate seal to form between the impregnation vacuum and the sealing vacuum systems, hence providing for a more uniform flow and a such, an improved molded article (see col. 1, lines 27-39).

20. Claim 96 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of Brown (H465).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claim 96, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach ultrasonic monitoring of the molding process. Brown (H465) teaches the use of ultrasonics to monitor resin curing during molding of fiber-reinforced composite sheets (see Abstract). Therefore, it would have been obvious for one of ordinary skill in the art to have provided an ultrasonic monitoring system as taught by Brown (H465) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, Brown (H465) specifically teaches that such a system allows for an improved nondestructive method for in-process testing of composite materials, hence, providing for improved process control and as such an improved molded article.

21. Claim 98 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer *et al.* (US Patent No. 4,942,013) in view of Livesay *et al.* (US Patent No. 5,837,185) and in further view of Tunis, III *et al.* (US Patent No. 6,159,414).

Palmer *et al.* ('013) in view of Livesay *et al.* (185) teach the basic claimed process as described above.

Regarding claim 98, although Palmer *et al.* ('013) teach optimizing the resin flow, Palmer *et al.* ('013) in view of Livesay *et al.* (185) do not teach controlling the flow rate. Tunis, III *et al.* ('414) teach a molding process, including providing a core having longitudinal and transversal channels and by optimizing the dimensions of said longitudinal and transversal channels the flow rate is optimized such that uniform impregnation occurs (see col. 5, lines 24-60). Therefore, it would have been obvious for one of ordinary skill in the art to have provided a core having longitudinal and transversal channels in order to control resin flow rate as taught by Tunis, III *et al.* ('414) in the process of Palmer *et al.* ('013) in view of Livesay *et al.* (185) because, Tunis, III

Art Unit: 1732

et al. ('414) specifically teach that such a core allows flow rate to be optimized, hence obtaining uniform resin impregnation and as such an improved molded article.

#### ***Allowable Subject Matter***

22. Claims 61 and 80-83 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

23. Claims 84-85, 89 and 91-92 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

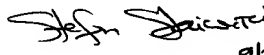
25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (703) 305-0396. The examiner can normally be reached on Monday-Friday 8:00 AM to 5:30 PM and alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached at (703) 305-5493. The fax phone number for this Group is (703) 305-7718.

Art Unit: 1732

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

Stefan Staicovici, PhD



9/26/03

Primary Examiner

AU 1732

September 26, 2003